

Message Text

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PAGE 01 VIENNA 03523 241627Z

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 AGR-05 CEA-01 CIAE-00 COME-00

DODE-00 FRB-03 H-02 INR-07 INT-05 L-02 LAB-04 NSAE-00

NSC-05 PA-01 AID-05 CIEP-01 SS-15 STR-04 TAR-01

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FM AMEMBASSY VIENNA

TO SECSTATE WASHDC 5454

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EO 11652: NA

TAGS: ETRD, AU

SUBJECT: AUSTRIAN CONCERN OVER US TRADE ACT OF 1974

FOR EB/ITP

1. DR. WILLENPART, SENIOR TRADE MINISTRY OFFICIAL RESPONSIBLE FOR GATT AFFAIRS, RAISED WITH EMBASSY OFFICERS (APRIL 23) A REPORT ON US TRADE ACT OF 1974 WHICH HAD BEEN FORWARDED BY AUSTRIAN EMBASSY IN WASHINGTON. REPORT IN QUESTION WAS PREPARED BY THE LAW FIRM DANIELS AND HOULIHAN OF WASHINGTON, DC, FOR AMERICAN IMPORTERS ASSOCIATION AND DISCUSSES AT SOME LENGTH MAJOR PROVISIONS OF NEW TRADE LAW. DR. WILLENPART STATED THAT THIS REPORT HAS BEEN CIRCULATING IN AUSTRIAN BUSINESS AND GOVERNMENTAL CIRCLES AND IS CAUSING CONSIDERABLE CONCERN. SPECIFIC STATEMENT IN REPORT CAUSING PARTICULAR CONCERN APPEARS IN LAST PARAGRAPH ON PAGE 30, WHICH WILLENPART QUOTED. AFTER DISCUSSING THE AUTHORITY GRANTED TO THE PRESIDENT BY THE ACT, TO IMPOSE DUTIES AND OTHER IMPORT RESTRICTIONS IN CERTAIN CIRCUMSTANCES, REPORT STATES: "THE ACT STATES THAT IN DETERMINING WHAT ACTION TO TAKE UNDER THIS AUTHORITY, THE PRESIDENT SHALL CON-

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PAGE 02 VIENNA 03523 241627Z

SIDER ONLY THE RELATIONSHIP OF SUCH ACTION TO THE

PURPOSES OF THE ACT. EARLIER VERSIONS OF THE BILL REQUIRED HIM TO "CONSIDER"THE INTERNATIONAL OBLIGATIONS OF THE UNITED STATES,BUT AS THE REPORT OF THE SENATE FINANCE COMMITTEE MAKES CLEAR, THE CONGRESS INTENDS HIM TO USE THIS AUTHORITY WHETHER OR NOT SUCH ACTION WOULD BE ENTIRELY CONSISTENT WITH THE INTERNATIONAL OBLIGATIONS OF THE UNITED STATES, SPECIFICALLY, THE GENERAL AGREEMENT ON TARIFFS AND TRADE". (WE ASSUME DEPT. HAS SEEN THIS REPORT.)

2. WILLENPART STATED THAT GOA IS OF COURSE AWARE THAT REPORT IS A PRIVATE ANALYSIS OF TRADE ACT AND IS NOT AN OFFICIAL DOCUMENT. HOWEVER, HE SAID GOA WOULD BE CONCERNED IF IN FACT THE TRADE ACT WOULD MAKE POSSIBLE ACTIONS BY US GOVERNMENT WHICH WOULD BE INCONSISTENT WITH ITS GATT AND OTHER INTERNATIONAL OBLIGATIONS.

3. WILLENPART HAS INSTRUCTED AUSTRIAN EMBASSY IN WASHINGTON TO TAKE UP THIS ISSUE THERE BUT REQUESTED EMBASSY TO RAISE MATTER DIRECTLY WITH DEPARTMENT.

5. REQUEST COMMENTS WHICH WE CAN PASS TO GOA. BUCHANAN

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